

## DECISION RECORD

Reference: Environmental Assessment (EA) for Grazing Authorization, #NM-060-00-176

### Decision:

It is my decision to authorize Dan L. Wade a ten year grazing permit/lease for BLM grazing allotments #63021 and 63521. The permit on allotment 63021 would authorize 700 Animal Units (AU's) yearlong at 42 percent federal range for 3528 Animal Unit Months (AUM's). The lease on allotment 63521 would authorize 38 AU's yearlong at 100 percent federal range for 456 AUM's. Cattle are the authorized class of livestock.

Any additional mitigation measures identified in the environmental impacts sections of the referenced environmental assessment have been formulated into stipulations, terms and conditions.

If you wish to protest this proposed decision in accordance with 43 CFR 4160.2, you are allowed 15 days to do so in person or in writing to the authorized officer, after the receipt of this decision. Please be specific in your points of protest. In the absence of a protest, this proposed decision will become the final decision of the authorized officer without further notice, in accordance with 43 CFR 4160.3. A period of 30 days following receipt of the final decision, or 30 days after the date the proposed decision becomes final, is provided for filing an appeal and petition for the stay of the decision, for the purpose of a hearing before an Administrative Law Judge (43 CFR 4.470). The appeal shall be filed with the office of the Field Office Manager, 2909 West Second, Roswell, NM, 88201, and must state clearly and concisely your specific points.

Signed by T. R. Kreager  
Assistant Field Manager

2/28/01  
Date

**ENVIRONMENTAL ASSESSMENT  
for  
GRAZING AUTHORIZATION**

**Allotment 63021, Section 3  
and  
Allotment 63521, Section 15**

**EA-NM-060-00-176**

**October, 1998**

**U.S. Department of the Interior  
Bureau of Land Management  
Roswell Field Office  
Roswell, New Mexico**

## **I. Introduction**

When authorizing livestock grazing on public range, the Bureau of Land Management (BLM) has historically relied on a land use plan and environmental impact statement to comply with the National Environmental Policy Act (NEPA). A recent decision by the Interior Board of Land Appeals, however, affirmed that the BLM must conduct a site-specific NEPA analysis before issuing a permit or lease to authorize livestock grazing. This environmental assessment fulfills the NEPA requirement by providing the necessary site-specific analysis of the effects of issuing a new grazing permit/lease on allotments #63021 and 63521.

The scope of this document is limited to the effects of issuing a 10 year grazing permit and 10 year lease, other future actions such as range improvement projects will be addressed in a project specific environmental assessment. There are no current plans for additional management actions on these allotments.

### **A. Purpose and Need for the Proposed Action**

The purpose of issuing a new grazing permit would be to authorize livestock grazing on public lands on allotments #63021 and 3521. The permit would specify the types and levels of use authorized, and the terms and conditions of the authorization pursuant to 43 CFR §§4130.3, 4130.3-1, and 4130.3-2.

### **B. Conformance with Land Use Planning**

The Roswell Resource Management Plan/Environmental Impact Statement (October 1997) has been reviewed to determine if the proposed action conforms with the land use plan's Record of Decision. The proposed action is consistent with the RMP/EIS.

### **C. Relationships to Statutes, Regulations, or Other Plans**

The proposed action is consistent with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1700 et seq.); the Taylor Grazing Act of 1934 (43 U.S.C. 315 et seq.), as amended; the Clean Water Act (33 U.S.C. 1251 et seq.), as amended; the Endangered Species Act (16 U.S.C. 1535 et seq.) as amended; the Federal Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.); Executive Order 11988, Floodplain Management and Executive Order 11990, Protection of Wetlands.

## Proposed Action and Alternatives

### A. Proposed Action:

The proposed action is to authorize B & B Cattle Company, Inc. a 10 year grazing permit for grazing allotment #63021 and 10 year grazing lease for allotment #63521. The proposed permit and lease are outlined in the following tables:

Allotment #63021, Section Three Permit

Number and Kind of Livestock	Animal Units (AU's)	Period	Percent Federal Range	Type Use	Animal Unit Months (AUM's)
2120 sheep	424	yearlong	42%	Active	2137
276 Cattle	276	yearlong	42%	Active	1391
Allotment Total	700	yearlong	42%	Active	3528

Allotment #63521, Section Fifteen Lease

Number and Kind of Livestock	Animal Units (AU's)	Period	Percent Federal Range	Type Use	Animal Unit Months (AUM's)
38 Cattle	38	yearlong	100%	Active	456

### B. No Permit authorization alternative:

This alternative would not issue a new grazing permit. There would be no livestock grazing authorized on public land within allotments #63021 and 3521.

## III. Affected Environment

### A. General Setting

Allotments #63021 and 3521 are located in Lincoln county, approximately 20 miles southeast of Corona, New Mexico. The area is predominately perennial warm season grassland with minor components of shrubs and trees and cactus.

The landscape is rolling hills topography dissected by major drainages. The major drainages within these allotments are the Hasperos Canyon, and Hackberry Draw.

More detailed information of the area is discussed under the affected resources section.

Allotment #63021 consists of 15,491 acres of public land, 7,014 acres of state land, and 17,278 acres of private land. Also within the boundaries of the allotment are 160 acres of private land owned by another individual.

Allotment #63521 consists of 2164 acres of public land, substantial amounts of state and private land are also located within the confines of the ranch, but are not accounted for under the section 15 lease.

Allotment #63021 lies within the boundaries of the Roswell Grazing District established subsequent to the Taylor Grazing Act (TGA). Grazing authorization on Public Lands inside the Grazing District boundary is governed by section 3 of the TGA. Livestock numbers for the allotment are controlled under this section 3 permit, the permittee is billed for the amount of forage available for livestock on federal land. Vegetation monitoring studies are used to determine the allowable number of livestock on the ranch.

Allotment #63521 lies outside of the Roswell Grazing District boundary established subsequent to the Taylor Grazing Act (TGA). Grazing authorization on Public Lands outside of the Grazing District boundary is governed by section 15 of the TGA and are commonly referred to as section 15 lands. Overall livestock numbers for the allotment are not controlled under this section 15 lease. The amount of forage produced on Public land is the determining factor on the number of authorized livestock.

The following resources or values are not present or would not be affected: Prime/Unique Farmland, Areas of Critical Environmental Concern, Minority/Low Income Populations, Wild and Scenic Rivers, Invasive Non-Native Species, Hazardous/Solid Wastes, Wetlands/Riparian Zones. Native American Religious Concerns. Cultural inventory surveys would continue to be required for public actions involving surface disturbing activities.

## **B. Affected Resources**

1. Soils: Allotments #63021 and #63521 cover an expansive area with many soil types. In general, the soils in the area are Pastura-Deama-Darvey series. The soils vary from very shallow to very deep, are well drained, and found on nearly level to moderately sloped areas. The soils are derived predominately from limestone. For in depth soil information, please refer to the Soil Survey of Lincoln County New Mexico, published by the Natural Resource Conservation Service(NRCS). A copy of this publication may be reviewed at the BLM Roswell Field Office or at a local NRCS office.

2. Vegetation: These allotments are within the grassland vegetative community as identified in the Roswell Resource Management Plan/Environmental Impact Statement (RMP/EIS). Vegetative communities managed by the Roswell Field Office are identified and explained in the RMP/EIS. Appendix 11 of the draft RMP/EIS describes

the Desired Plant Community (DPC) concept and identifies the components of each community. The distinguishing feature for the grassland community is that grass species typically comprises 75% or more of the potential plant community. The community also includes shrub, half-shrub, and forb species. The percentages of grasses, forbs, and shrubs actually found at a particular location will vary with recent weather factors, past resource uses and the potential of the site.

Six rangeland monitoring studies have been in place on this allotment since 1983. Four monitoring sites are located on shallow CP-3, and two sites on loamy CP-3 ecological (range) sites. Monitoring was conducted in 1983, 1988, 1993, and 2000. Please refer to Appendix 1 for monitoring data summaries.

Monitoring data indicates that the vegetative conditions on allotments #63021 and 3521 achieve the multiple resource objectives established in the Roswell RMP. Livestock stocking levels are within the allowable vegetation utilization range. Monitoring data and analysis are available for review at the Roswell Field Office.

3. Wildlife: These allotments are within the Macho Habitat Management Area. The entire ranch is fenced with net-wire. Other game species occurring within the area include mule deer, mourning dove, and scaled quail. Raptors that utilize the area on a more seasonal basis include the Swainson's, red-tailed, and ferruginous hawks, American kestrel, and great-horned owl. Numerous passerine birds utilize the grassland areas due to the variety of grasses, forbs, and shrubs. The most common include the western meadowlark, mockingbird, horned lark, killdeer, loggerhead shrike, and vesper sparrow.

The warm prairie environment supports a large number of reptile species compared to higher elevations. The more common reptiles include the short-horned lizard, lesser earless lizard, eastern fence lizard, coachwhip, bullsnake, prairie rattlesnake, and western rattlesnake.

A general description of wildlife occupying or potentially utilizing the proposed action area is located in the Affected Environment Section (p. 3-62 to 3-71) of the Draft Roswell RMP/EIS (9/1994).

4. Threatened and Endangered Species: There are no known threatened or endangered species of plant or animals on allotments 63021 and 3521. A list of federal threatened, endangered and candidate species reviewed for this EA can be found in Appendix 11 of the Roswell Approved RMP (AP11-2). There are no designated critical habitat areas within the allotments. The swift fox is a Federal Candidate species that may occupy or utilize the area; refer to the Biological Opinion (AP11-38) in the Roswell RMP for a detailed description of the range, habitats and potential threats.

The mountain plover has been recently proposed for listing as an Endangered Species. It is associated with shortgrass and shrub-steep landscapes throughout its breeding and wintering range. Historically, on the breeding range, it occurred on nearly denuded prairie dog towns and in areas of major bison concentration. The mountain plover are considered to be strongly associated with sites of heaviest grazing pressure, to the point of excessive surface disturbance. Short vegetation, bare ground, and a flat topography are now recognized as habitat-defining characteristics at both breeding and wintering locales.

5. Livestock Management: The allotments are operated as a cow/calf and sheep ranch. Allotment #63021 consists of 12 pastures and two traps, which aid in livestock movement and restraint. Multiple water wells, pipeline systems and earthen reservoirs provide livestock water throughout the allotment. Rotation of livestock through the pastures is used to promote proper grazing and vegetation conservation. Precipitation patterns play a role in determining the rotation pattern, dry areas are allowed to rest as much as possible. The allotment operator stays flexible with livestock numbers and maintains conservative stocking rates.

6. Visual Resources: The allotments are located within a Class IV Visual Resource Management area. This means that contrasts may attract attention and be a dominant feature in the landscape in terms of scale. However, the changes should repeat the basic elements of the landscape.

7. Water Quality: No perennial surface water is found on the Public Land on these allotments.

8. Air Quality: Air quality in the region is generally good. The allotments are in a Class II area for the Prevention of Significant Deterioration of air quality as defined in the public Clean Air Act. Class II areas allow a moderate amount of air quality degradation.

9. Recreation: Since these allotments have no facility based recreational activities, only dispersed recreational opportunities occur on these lands. Recreational activities that may occur include hunting, caving, sightseeing, Off Highway Vehicle Use, primitive camping, horseback riding and hiking.

Legal and physical access to public lands are limited within the area, there are no county or state maintained roads on the allotments. Off Highway Vehicle designation for public lands within these allotments are classified as "Limited" to existing roads and trails.

Due to the fact that public land boundaries are not marked adequately or identified by signs and/or fences, the public use of these BLM lands are limited.

10. Cave/Karst: This allotments are located within a designated area of High Karst and Cave Potential. A complete significant cave or karst inventory has not been completed for the public lands located in these grazing allotments. Presently, no known significant caves or karst features have been identified within these allotments. If at a later date, a significant cave or karst feature is located on public lands within these allotments, protective measures for the cave or feature may be placed into effect.

11. Floodplains: Within the allotments, floodplains exist that are recorded on Federal Emergency Management Agency maps. The identified floodplains are generally the major drainages named in the general setting above. Water pipelines, fences and roads cross the floodplains.

## **Environmental Impacts**

### **A. Impacts of the Proposed Action**

1. Soils: Proper utilization levels and grazing distribution patterns are expected to retain sufficient vegetative cover on the allotments, this will maintain the stability of the soils. Soil compaction and excessive vegetative use will occur at small, localized areas such as bedding areas, watering locations, and along trails. Positive affects from the proposed action may include acceleration of nutrient cycling, and chipping of the soil crust by hoof action may stimulate seedling growth and water infiltration.

2. Vegetation: Vegetation will continue to be grazed and trampled by domestic livestock as well as other herbivores. The area has been grazed by livestock since the early part of the 1900's, if not longer. The area evolved with large ungulate animal species and native vegetation is accustomed to herbivory. Ecological condition and trend is expected to remain stable and/or improve over the long term with the proposed authorized number of livestock and existing pasture management. Rangeland monitoring data indicates that there is an adequate amount of forage for the multiple resource use objectives.

3. Wildlife: Domestic livestock will continue to utilize vegetative resources needed by a variety of wildlife species for life history functions within these allotments. The magnitude of livestock grazing impacts on wildlife is dependent upon the species of wildlife being considered, and it's habitat needs. In general, livestock stocking rate adjustments have been made in the past that minimize the direct competition for those vegetative resources needed by a variety of wildlife species. Cover habitat for wildlife will remain the same as the existing situation. Maintenance and operation of existing waterings will continue to provide dependable water sources for wildlife, as well as livestock

4. T&E species: Surveys have been conducted in New Mexico for the mountain plover by Lawry Sager in 1995, for the New Mexico Department of Game and Fish (Sager, 1996). No breeding populations were found south of the 34° North Latitude which generally follows the Chaves/DeBaca County line on the north end of the Roswell Field Office area. However, no birds were reported in either DeBaca or Chaves Counties; only one observation was reported in Lincoln County (near Lon). In addition, mountain plover surveys were conducted in 1998 at BLM selected sites by New Mexico Natural Heritage Program (DeLay & Johnson, 1998). No mountain plovers were observed at the sites. As mountain plovers prefer short vegetation and actually seek out grazed pastures, the cumulative impacts from grazing are not anticipated to adversely affect the bird. Grazing practices which maintain or improve ground cover to the greatest extent possible could decrease mountain plover habitat. The preferred alternative will continue to emphasize proper watershed management, but is unlikely to adversely affect this species or its habitat in the grassland area. Since no known wintering locales or breeding sites have been found and no known prairie dog towns are located within these allotments, proper grazing management is not likely to jeopardize, destroy or adversely modify the habitat.

5 Livestock Management: No adverse impacts are anticipated under the proposed action.

6. Visual Resources The continued grazing of livestock would not affect the form or color of the landscape. The primary appearance of the vegetation within the allotments will remain the same.

7. Water Quality -. Direct impacts to surface water quality would be minor, short-term impacts during stormflow. Indirect impacts to water-quality related resources, such as fisheries, would not occur. The proposed action would not have a significant effect on ground water. Livestock would be dispersed over the allotments, and the soil would filter potential contaminants.

8. Air Quality: Dust levels under the proposed action would be slightly higher than under the no grazing alternative due to allotment management activities. The levels would be within the limits allowed in a Class II area for the Prevention of Significant Deterioration of air quality.

9. Recreation: Grazing should have little or no impact on the dispersed recreational opportunities within the allotments, due in part to the limited access to public lands. The evidence or presence of livestock can negatively affect visitors who desire solitude, unspoiled landscape views, or to hike without seeing signs of livestock. However, grazing can benefit some forms of recreation, such as hunting, by creating new water sources for game animals.

10. Caves/Karst: No known significant cave or karst features are known to exist on these allotments. There is a high potential that caves do exist in the area. If a significant cave is located within the public lands within the allotments, protection measures for the cave would be placed into effect.

11. Floodplains: Floodplain function does not appear to be significantly affected by the construction of roads, fences or pipelines. Future development will be restricted as much as practical. Because future development will be minimized, differences between alternatives are negligible.

### **B. Impacts of the No Livestock Grazing Alternative.**

1. Soils: Soil compaction would be reduced on the allotments around old trails and bedding grounds, there would be a small reduction in soil loss on the allotments.

2. Vegetation: It is expected that the number of plant species found within the allotments will remain the same, however, there would be small changes in the relative percentages of these species. Vegetation will continue to be utilized by wildlife. There would be an increase in the amount of standing vegetation.

3. Wildlife: Wildlife would have no competition with livestock for forage and cover.

4. T&E Species: There would be no impacts to threatened or endangered species or habitat.

5. Livestock management: The forage from public land would be unavailable for use by the lessee. This would have a significant adverse economic impact to the livestock operation. If the No Grazing alternative is selected, the owner of the livestock would be responsible for ensuring that livestock do not enter Public Land [43 CFR 4140.1(b)(1)]. The intermingled land status on the allotments makes it economically unfeasible to fence out the public land and use only the private land. The remaining private and state land could not support the number of livestock currently authorized and the lower number of livestock would not provide the level of potential income the operator is accustomed to. The allotment operator would also lose the investment made for the acquisition of the permit and access to improvements installed privately.

6. Visual Resources: There would be no change in the visual resources.

7. Water Quality: There could be a slight improvement in water quality due to the minor reductions in sediment loading during stormflow.

8. Air Quality: There would be a slightly less dust under this under this alternative versus the proposed alternative, but this would be negligible when considering all sources of dust.
9. Recreation: Impacts would be very minor under the alternative. No positive impacts from livestock watering locations would occur.
10. Caves/Karst: Impacts would be the same as the proposed action if no significant caves are found.
11. Floodplains: Impacts would be the same as the proposed action.

## **V. Cumulative Impacts**

All of the allotments that have permits/leases with the BLM will have to go through scoping and analysis under NEPA. Allotments #63021 and 3521 are surrounded by allotments that will be undergoing this process. If the proposed action is selected, there would be no change in the cumulative impacts since it does not vary from the current situation.

If the no livestock grazing alternative is selected, there would be little change in the cumulative impact as long as the surrounding allotments continue to be stocked at their current level. If the permitted numbers are reduced on the surrounding ranches as well, the economics of the surrounding communities and/or minority/low income populations would be negatively impacted.

The No Grazing alternative was considered, but not chosen in the Rangeland Reform Environmental Impact Statement (EIS) Record of Decision (ROD) (p. 28). The elimination of grazing in the Roswell Field Office Area was also considered but eliminated by the Roswell RMP/ROD (pp. ROD-2).

## **VI. Residual Impacts**

Vegetative monitoring studies have shown that grazing, at the current permitted numbers of animals, is sustainable. If the mitigation measures are enacted, then there would be no residual impacts to the proposed action.

## **VII. Mitigating Measures**

Vegetation monitoring studies will continue to be conducted and the permitted numbers of livestock will be adjusted if necessary. If new information surfaces that livestock

grazing is negatively impacting other resources, action will be taken at that time to mitigate those impacts.

## **VIII. Fundamentals of Rangeland Health**

The fundamentals of rangeland health are identified in 43 CFR §§4180.1 and pertain to watershed function, ecological process, water quality, and habitat for threatened and endangered (T&E) species and other special status species. Based on the available data and professional judgement, the evaluation by this environmental assessment indicates that the conditions identified in the fundamentals of rangeland health exist on these allotments.

## **IX. Team Members**

Jim Schroeder, John Spain, Tim Kreager, Irene Gonzales-Salas, Jerry Dutchover, Rand French, Pat Flanary, Jerry Ballard, Paul Happel, Howard Parmen, Chuck Schmidt.

FINDING OF NO SIGNIFICANT IMPACT/RATIONALE

FINDING OF NO SIGNIFICANT IMPACT: I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined the **proposed action** will not have significant impacts on the human environment and that preparation of an Environmental Impact Statement (EIS) is not required.

Rationale for Recommendations: The proposed action would not result in any undue or unnecessary environmental degradation. The **proposed action** will be in compliance with the Roswell Resource Management Plan and Record of Decision (October, 1997).

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T. R. Kreager,  
Assistant Field Office Manager - Resources

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Date